

91

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

**MARK W. DOBRONSKI,**  
an individual,

Case No.

Plaintiff,

v.

Case:2:23-cv-10541  
Judge: Friedman, Bernard A.  
MJ: Stafford, Elizabeth A.  
Filed: 03-08-2023 At 08:20 AM  
CMP Dobronski v. Krause and Kinsman  
Law LLC, et al (jo)

**KRAUSE AND KINSMAN LAW LLC,**  
a Missouri limited liability company,

**ADAM WILLIAM KRAUSE,**  
an individual,

**ROBERT LOUIS KINSMAN,**  
an individual,

**PATRICIA LYNN CAMPBELL**  
a/k/a **TRICIA CAMPBELL**  
a/k/a **PATRICIA LYNN DUNAVANT,**  
an individual,

**JOANNA BERNADETTE ORSCHELN**  
a/k/a **JOANNA BERNADETTE MALONE,**  
an individual,

all doing business as  
**KRAUSE & KINSMAN LAW FIRM,**  
an unregistered fictitious business name,

and all doing business as  
**KRAUSE AND KINSMAN GROUP, LLP,**  
an unregistered fictitious business name,

Defendants.

F I L E D  
MAR 08 2023  
CLERK'S OFFICE  
DETROIT

**COMPLAINT**

NOW COMES the Plaintiff, MARK W. DOBRONSKI, appearing *in propria persona*, and for his complaint against Defendants alleges:

1. This matter arises under the Telephone Consumer Protection Act of 1991 (“TCPA”), 47 U.S.C. § 227, *et seq.*, the Michigan Telephone Companies as Common Carriers Act (“MTCCCA”), M.C.L. § 484.101, *et seq.*, the Michigan Home Solicitation Sales Act (“MHSSA”), M.C.L. § 445.101, *et seq.*, and the Florida Telemarketing Sales Law (“FTSL”), Fla. Stat. § 501.059, *et seq.*.

**Parties**

2. Plaintiff is an individual, of the age of majority, a citizen of the United States of America, is a resident of Orange County, Florida, has a place of business and residence in Washtenaw County, Michigan, and has a place of business in the City of Westland, Wayne County, Michigan.

3. Upon information and belief, Defendant KRAUSE AND KINSMAN LAW LLC (“K&K”) is a limited liability company organized and existing under the laws of the State of Missouri, with a principal office located at 4717 Grand Avenue, Suite 300, Kansas City, Missouri 64112-2206.

4. Upon information and belief, Defendant ADAM WILLIAM KRAUSE (“Krause”) is an individual, of the age of majority, is mentally competent, is not in the

military service, and resides at 6600 West 67<sup>th</sup> Street, Overland Park, Kansas 66202-4159.

5. Upon information and belief, Defendant ROBERT LOUIS KINSMAN (“Kinsman”) is an individual, of the age of majority, is mentally competent, is not in the military service, and resides at 5111 West 96<sup>th</sup> Street, Overland Park, Kansas 66207-3312.

6. Upon information and belief, Defendant PATRICIA LYNN CAMPBELL (“Campbell”) is also known as TRICIA CAMPBELL, is also known as PATRICIA LYNN DUNAVANT, is an individual, of the age of majority, is mentally competent, is not in the military service, and resides at 7036 North London Avenue, Kansas City, Missouri 64151-4003.

7. Upon information and belief, Defendant JOANNA BERNADETTE ORSCHELN (“Orscheln”) is also known as JOANNE BERNADETTE MALONE, is an individual, of the age of majority, is mentally competent, is not in the military service, and resides at 2805 West 71<sup>st</sup> Street, Shawnee Mission, Kansas 66208-3104.

8. Upon information and belief, KRAUSE & KINSMAN LAW FIRM (“Firm”) is an unregistered fictitious name utilized by Defendants K&K, Krause, Kinsman, Orscheln and Campbell (collectively referred to herein as the “Partners”) to transact business.

9. Upon information and belief, KRAUSE & KINSMAN GROUP, LLP (“Group”) is an unregistered fictitious name utilized by Partners to transact business.

**Jurisdiction**

10. This Court has jurisdiction over the subject matter of this complaint pursuant to 28 U.S.C. § 1331 and 28 U.S.C. § 1367.

11. This Court has limited personal jurisdiction over Defendants Krause, Kinsman, Orscheln, and Campbell, pursuant to M.C.L. § 600.705, as a result of the defendants transacting any business within the state; and/or doing or causing any act to be done, or consequences to occur, in the state resulting in an action for tort.

12. This Court has limited personal jurisdiction over Defendants K&K, Firm and Group, pursuant to M.C.L. § 600.725, as a result of the defendants transacting any business within the state; and/or doing or causing any act to be done, or consequences to occur, in the state resulting in an action for tort.

**Venue**

13. Venue is proper in this Court, pursuant to 28 U.S.C. § 1391(b)(2), as the tortious or illegal telephone calls complained of herein were received in this judicial district.

**The Telemarketing Laws**

14. In response to widespread public outrage over intrusive telemarketing calls

to homes and businesses, the United States Congress acted to prevent entities, like Defendant, from invading American citizen's privacy and to prevent abusive "robocalls" by enacting the TCPA.

15. According to the Federal Communications Commission ("FCC"), "Unwanted calls and texts are the number one complaint to the FCC. There are thousands of complaints to the FCC every month on both telemarketing and robocalls."

16. Congress explicitly found that robo-calling is an invasion of privacy.

17. In regard to such telephone solicitations, Senator Hollings of South Carolina, the primary sponsor of the bill, explained, "computerized calls are the scourge of modern civilization. They wake us up in the morning; they interrupt our dinner at night; they force the sick and elderly out of bed; they hound us until we want to rip the telephone right out of the wall... these computerized telephone calls threaten our personal safety... These machines are out of control, and their use is growing by 30 percent every year. It is telephone terrorism, and it has got to stop...."

See *In the Matter of Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991*, 17 FCC Rcd. 17459, 17474, fn. 90 (2002), quoting 137 Cong. Rec. 30,821-30,822 (Nov. 7, 1991).

18. According to YouMail, Inc., a company which tracks robocall activity and

publishes the YouMail Robocall Index, during calendar year 2021 alone, American consumers were bombarded with over 50.5 *billion* robocalls; an average of over 150 robocalls to each man, woman, and child. [Source: [www.robocallindex.com](http://www.robocallindex.com) ].

19. In 2021, nearly 1 in 3 Americans say they have fallen victim to a phone scam in the past year, with reported losses to phone scams exceeding \$29.8 Billion. [Source: [www.cndb.com/2021/06/29/americans-list-billions-of-dollars-to-phone-scams-over-the-past-year.html](http://www.cndb.com/2021/06/29/americans-list-billions-of-dollars-to-phone-scams-over-the-past-year.html) ].

20. Congress has found that interstate telemarketing fraud has become a problem of such magnitude that the resources of the Government are not sufficient to ensure adequate consumer protection from such fraud.

21. As a result, in enacting the TCPA, Congress intentionally created a legally enforceable bounty system, not unlike *qui tam* statutes, to incentivize the assistance of aggrieved private citizens to act as “private attorneys general” in enforcing federal law.

22. Pursuant to authority delegated by Congress to the FCC under the TCPA at 47 U.S.C. § 227(b)(2), the FCC has adopted regulations to implement and carry out the TCPA.

23. The TCPA implementing regulations, at 47 C.F.R. § 64.1200(a), promulgate in relevant part:

“(3) Initiate any telephone call to any residential line using an artificial or prerecorded voice to deliver a message without the prior express written consent of the called party, unless the call;

- (i) Is made for emergency purposes;
- (ii) Is not made for a commercial purpose;
- (iii) Is made for a commercial purpose but does not include or introduce an advertisement or constitute telemarketing;
- (iv) Is made by or on behalf of a tax-exempt nonprofit organization; or
- (v) Delivers a “health care” message made by, or on behalf of, a “covered entity” or its “business associate,” as those terms are defined in the HIPAA Privacy Rule, 45 CFR 160.103...

(7) Abandon more than three percent of all telemarketing calls that are answered live by a person, as measured over a 30-day period for a single calling campaign. If a single calling campaign exceeds a 30-day period, the abandonment rate shall be calculated separately for each successive 30-day period or portion thereof that such calling campaign continues. A call is “abandoned” if it is not connected to a live sales representative within two (2) seconds of the called person's completed greeting.

(i) Whenever a live sales representative is not available to speak with the person answering the call, within two (2) seconds after the called person's completed greeting, the telemarketer or the seller must provide:

(A) A prerecorded identification and opt-out message that is limited to disclosing that the call was for “telemarketing purposes” and states the name of the business, entity, or

individual on whose behalf the call was placed, and a telephone number for such business, entity, or individual that permits the called person to make a do-not-call request during regular business hours for the duration of the telemarketing campaign; provided, that, such telephone number may not be a 900 number or any other number for which charges exceed local or long distance transmission charges, and

(B) An automated, interactive voice- and/or key press-activated opt-out mechanism that enables the called person to make a do-not-call request prior to terminating the call, including brief explanatory instructions on how to use such mechanism. When the called person elects to opt-out using such mechanism, the mechanism must automatically record the called person's number to the seller's do-not-call list and immediately terminate the call...."

24. The TCPA implementing regulations, at 47 C.F.R. 64.1200(d), promulgate:

"(d) No person or entity shall initiate any call for telemarketing purposes to a residential telephone subscriber unless such person or entity has instituted procedures for maintaining a list of persons who request not to receive telemarketing calls made by or on behalf of that person or entity. The procedures instituted must meet the following minimum standards:

- (1) Written policy. Persons or entities making calls for telemarketing purposes must have a written policy, available upon demand, for maintaining a do-not-call list.
- (2) Training of personnel engaged in telemarketing. Personnel engaged in any aspect of telemarketing must be informed and trained in the existence and use of the

do-not-call list.

(3) Recording, disclosure of do-not-call requests. If a person or entity making a call for telemarketing purposes (or on whose behalf such a call is made) receives a request from a residential telephone subscriber not to receive calls from that person or entity, the person or entity must record the request and place the subscriber's name, if provided, and telephone number on the do-not-call list at the time the request is made. Persons or entities making calls for telemarketing purposes (or on whose behalf such calls are made) must honor a residential subscriber's do-not-call request within a reasonable time from the date such request is made. This period may not exceed thirty days from the date of such request. If such requests are recorded or maintained by a party other than the person or entity on whose behalf the telemarketing call is made, the person or entity on whose behalf the telemarketing call is made will be liable for any failures to honor the do-not-call request. A person or entity making a call for telemarketing purposes must obtain a consumer's prior express permission to share or forward the consumer's request not to be called to a party other than the person or entity on whose behalf a telemarketing call is made or an affiliated entity.

(4) Identification of sellers and telemarketers. A person or entity making a call for telemarketing purposes must provide the called party with the name of the individual caller, the name of the person or entity on whose behalf the call is being made, and a telephone number or address at which the person or entity may be contacted. The telephone number provided may not be a 900 number or any other number for which charges exceed local or long distance transmission charges.

(5) Affiliated persons or entities. In the absence of a specific request by the subscriber to the contrary, a residential subscriber's do-not-call request shall apply to

the particular business entity making the call (or on whose behalf a call is made), and will not apply to affiliated entities unless the consumer reasonably would expect them to be included given the identification of the caller and the product being advertised.

(6) Maintenance of do-not-call lists. A person or entity making calls for telemarketing purposes must maintain a record of a consumer's request not to receive further telemarketing calls. A do-not-call request must be honored for 5 years from the time the request is made.

(7) Tax-exempt nonprofit organizations are not required to comply with 64.1200(d)."

25. The TCPA implementing regulations at, 47 C.F.R. § 64.1601, additionally promulgate in relevant part:

"(e) Any person or entity that engages in telemarketing, as defined in section 64.1200(f)(10) **must** transmit caller identification information.

(1) For purposes of this paragraph, **caller identification information must include either CPN or ANI, and, when available by the telemarketer's carrier, the name of the telemarketer.** It shall not be a violation of this paragraph to substitute (for the name and phone number used in, or billed for, making the call) the name of the seller on behalf of which the telemarketing call is placed and the seller's customer service telephone number. **The telephone number so provided must permit any individual to make a do-not-call request during regular business hours.**

(2) Any person or entity that engages in telemarketing is prohibited from blocking the transmission of caller identification information." [Emphasis added.]

26. The TCPA, at 47 U.S.C. § 227(b)(3), provides for a private right of action, as follows:

“**PRIVATE RIGHT OF ACTION.** **A person or entity** may, if otherwise permitted by the laws or rules of court of a State, bring in an appropriate court of that State –

- (A) an action based on a violation of this **subsection or the regulations prescribed under this subsection** to enjoin such violation,
- (B) an action to recover for actual monetary loss from such a violation, or to receive \$500 in damages **for each such violation**, whichever is greater, or
- (C) both such actions.

If the court finds that the defendant willfully or knowingly violated this subsection or the regulations prescribed under this subsection, the court may, in its discretion, increase the amount of the award to an amount equal to not more than 3 times the amount available under subparagraph (B) of this paragraph.” [Emphasis added.]

27. Pursuant to Congressional mandate set forth at 47 U.S.C. § 227(c)(1), the FCC adopted regulations establishing a national “do not call” database and prohibiting any person from making or transmitting a telephone solicitation to the telephone number of any subscriber included in such database, which regulations are set forth at 47 C.F.R. § 64.1200(c), and promulgate in relevant part:

“No person or entity shall initiate any telephone solicitation to:...

“(2) A residential telephone subscriber who has registered his or her telephone number on the national do-not-call registry of persons who do not wish to receive telephone solicitations that is maintained by the Federal Government....”

28. Additionally, the TCPA, at 47 U.S.C. § 227(c)(5), provides for a private right of action, as follows:

“Private right of action. A person who has received more than one telephone call within any 12-month period by or on behalf of the same entity in **violation of the regulations prescribed under this subsection** may, if otherwise permitted by the laws or rules of court of a State bring in an appropriate court of that State—

- (A) an action based on a violation of the regulations prescribed under this subsection to enjoin such violation,
- (B) an action to recover for actual monetary loss from such a violation, or to receive up to \$500 in damages **for each such violation**, whichever is greater, or
- (C) both such actions.

It shall be an affirmative defense in any action brought under this paragraph that the defendant has established and implemented, with due care, reasonable practices and procedures to effectively prevent telephone solicitations in violation of the regulations prescribed under this subsection. If the court finds that the defendant willfully or knowingly violated the regulations prescribed under this subsection, the court may, in its discretion, increase the amount of the award to an amount equal to not more than 3 times the amount available under subparagraph (B) of this paragraph.”

29. The MTCCA, at M.C.L. § 484.125, promulgates in relevant part as follows:

“(2) A caller shall not use a telephone line to contact a subscriber at the subscriber’s residence, business, or toll-free telephone number to...

(b) Deliver or attempt to deliver intrastate commercial advertising if the caller activates a feature to block the display of caller identification information that would otherwise be available to the subscriber...

(5) A subscriber contacted by a caller in violation of this section may bring an action to recover damages of \$1,000.00, together with reasonable attorneys' fees...

(9) A caller who violates this section is guilty of a misdemeanor, punishable by a fine of \$1,000.00 or imprisonment for 10 days, or both.”

30. The MHSSA, at M.C.L. § 445.111a(5), promulgates:

“... A telephone solicitor shall not make a telephone solicitation to a residential telephone subscriber whose name and residential telephone number is on the then-current version of the federal [do-not-call] list.”

31. The MHSSA, at M.C.L. § 445.111b, promulgates in relevant part:

“(1) At the beginning of a telephone solicitation, a person making a telephone solicitation to a residential telephone subscriber shall state his or her name and the full name of the organization or other person on whose behalf the call was initiated and provide a telephone number of the organization or other person on request. A natural person must be available to answer the telephone number at any time when telephone solicitations are being made.

(2) The person answering the telephone number required under subsection (1) shall provide a residential telephone subscriber calling the telephone number with information describing the organization or other person on whose behalf the telephone solicitation was made to the residential telephone subscriber and describing the telephone solicitation.

(3) A telephone solicitor shall not intentionally block or otherwise interfere with the caller ID function on the telephone of a residential telephone subscriber to whom a telephone solicitation is made so that the telephone number of the caller is not displayed on the telephone of the residential telephone subscriber.”

32. The MHSSA, at M.C.L. § 445.111c, promulgates in relevant part as follows:

“(1) It is an unfair or deceptive act or practice and a violation of this act for a telephone solicitor to do any of the following:....

(f) Fail to comply with the requirements of section 1a or 1b.

(2) ... [A] person who knowingly or intentionally violates this section is guilty of a misdemeanor punishable by imprisonment for not more than 6 months or a fine of not more than \$500.00, or both.

(3) A person who suffers loss as a result of violation of this section may bring an action to recover actual damages or \$250.00, whichever is greater, together with reasonable attorney fees.”

33. The FTSL, at Fla. Stat. § 501.059, promulgates in relevant part as follows:

“... (2) Any telephone solicitor who makes an unsolicited telephonic sales call to a residential, mobile, or telephonic paging device telephone number shall identify himself or herself by his or her true first and last names and the business on whose behalf he or she is soliciting immediately upon making contact by telephone with the person who is the object of the telephone solicitation...

(8)(a) A person may not make or knowingly allow a telephonic sales call to be made if such call involves an automated system for the selection or dialing of telephone numbers or the playing of a recorded message when a connection is completed to a number called without the prior express written consent of the called party.

(b) It shall be unlawful for any person who makes a telephonic sales call or causes a telephonic sales call to be made to fail to transmit or cause not to be transmitted the originating telephone number and, when made available by the telephone solicitor’s carrier, the name of the telephone solicitor to any caller identification service in use by a recipient of a telephonic sales call. However, it is not a violation to substitute, for the name and telephone number used in or billed for making the call, the name of the seller on behalf of which a telephonic sales call is placed and the seller’s customer service telephone number, which is answered during regular business hours. If a telephone number is made available through a caller identification service as a result of a telephonic sales call, the solicitor must ensure that telephone number is capable of receiving telephone calls and must connect the original call recipient, upon calling such number, to the telephone solicitor or to the seller on behalf of which a telephonic sales call was placed. For purposes of this section, the term “caller identification service” means a service that allows a telephone subscriber to have the telephone number and, where available, the name of the calling party transmitted contemporaneously with the telephone call and displayed

on a device in or connected to the subscriber's telephone...

(10)(a) A called party who is aggrieved by a violation of this section may bring an action to:

1. Enjoin such violation.

2. Recover actual damages or \$500, whichever is greater.

(b) If the court finds that the defendant willfully or knowingly violated this section or rules adopted pursuant to this section, the court may, in its discretion, increase the amount of the award to an amount equal to not more than three times the amount available under paragraph (a)...."

34. Plaintiff's telephone lines have been besieged with telemarketing calls hawking such things as alarm systems, Google listings, automobile warranties, health insurance, life insurance, credit cards, and even financial miracles from God. Some calls are blatant scams, including calls purportedly from the Social Security Administration, the U.S. Drug Enforcement Administration, and other government agencies, claiming that arrest warrants have been issued against Plaintiff for alleged drug trafficking and money laundering activities.

35. Plaintiff's residential telephone number are 407-\*\*\*-\*\*22, 734-\*\*\*-\*\*12 and 734-\*\*\*-\*\*24.

36. Plaintiff's residential telephone number 407-\*\*\*-\*\*22 is listed on the National Do Not Call Registry maintained by the United States Federal Trade Commission pursuant to 16 C.F.R. Part 310 and have been so listed continuously

since at least August 24, 2022 and at all times subsequent thereto.

37. Plaintiff's residential telephone numbers 734-\*\*\*-\*\*12 and 734-\*\*\*-\*\*24 are listed on the National Do Not Call Registry maintained by the United States Federal Trade Commission pursuant to 16 C.F.R. Part 310 and have been so listed continuously since at least June 29, 2003 and at all times subsequent thereto.

38. By listing his residential telephone numbers on the National Do Not Call Registry, Plaintiff has given constructive notice to the world, including each and every one of the Defendants, that Plaintiff does not wish to receive telephone solicitations or robocalls at his residential telephone numbers.

39. Courts are legally bound to give great deference to the FCC's interpretations of the TCPA and its own regulations.

40. The FCC has issued a declaratory ruling defining "called party" as "the subscriber, i.e., the consumer assigned the telephone number dialed and billed for the call, or the non-subscriber customary user of a telephone number included in a family or business calling plan." *In the Matter of Rules & Regulations Implementing the Tel. Consumer Prot. Act of 1991*, CG Docket No. 02-278, WC Docket No. 07-135, FCC 15-72, 2015 WL 4387780, at \*26 ¶ 73 (FCC July 10, 2015) [Emphasis added].

41. Plaintiff is a customary user of the called telephone lines, is the one that was the actual recipient of the telephone calls at issue in this complaint, and suffered

the nuisance and invasion of privacy of same. Thus, Plaintiff has standing to bring this action for alleged violations of TCPA's robocall provisions. See *Leyse v. Bank of America Nat. Ass'n*, 804 F.3d 316, 324 (C.A.3, 2015).

42. At no time relevant hereto has Plaintiff or any other authorized person requested, consented, permitted, or authorized any contact from the Defendants.

43. At no time has Plaintiff provided permission to the Defendants to engage in telephone solicitation with the Plaintiff via telephone.

44. At no time has Plaintiff provided "prior express written consent" (as that term is defined under the TCPA and as interpreted by the FCC) for any of the Defendants to initiate any telephone call to Plaintiff's residential telephone line using an artificial or prerecorded voice to deliver a message.

45. At no time has Plaintiff had an "established business relationship" (as that term is defined under the TCPA and as interpreted by the FCC) with any of the Defendants.

46. The FCC has declared that purporting to receive consent during a call does not constitute the *prior* consent necessary to deliver the message in the first place, as the request is part of the telemarketing. See *In re Rules and Regulations Implementing the TCPA*, 18 FCC Rcd. 14014, 14019, 2003 WL 21517853, at \*49, ¶ 142 (June 26, 2003).

47. The FCC has clarified that sellers may be held vicariously liable for violations of the TCPA by third-party telemarketers that initiate calls to market the seller's products or services, declaring as follows:

“[A] company on whose behalf a telephone solicitation is made bears the responsibility for any violation of our telemarketing rules and calls placed by a third party on behalf of that company are treated as if the company itself placed the call.”

*In re Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991*, Declaratory Ruling, 20 FCC Rcd 13664, 13667, ¶ 7 (2005).

48. Pursuant to 47 U.S.C. § 217, the act, omission, or failure of any officer, agent, or other person acting for or employed by an common carrier or user, acting within the scope of his employment, shall in every case also be deemed to be the act, omission, or failure of such carrier or user as well as that of the person.

49. Firm operates an Internet web site at [www.krauseandkinsman.com](http://www.krauseandkinsman.com) (“Website”) which Website expressly identifies the Firm by the name “Krause and Kinsman Lawfirm” and lists Krause as a co-founder, Kinsman as a co-founder, Orscheln as a partner, and Campbell as a partner.

50. Missouri law, specifically Mo. Rev. Stat. § 417.200, promulgates:

“That every name under which any person shall do or transact any business in this state, other than the true name of such person, is hereby declared to be a fictitious name, and it shall be unlawful for any person to engage in or

transact any business in this state under a fictitious name without first registering same with the secretary of state as herein required.”

51. Missouri law, specifically Mo. Rev. Stat. § 417.230, promulgates:

“Any person who shall engage in or transact any business in this state under a fictitious name, as in sections 417.200 to 417.230 defined, without registering such name as herein required, shall be deemed guilty of a misdemeanor.”

52. The common-law rule is that members of a partnership are jointly and severally liable for the tortious act of one of the partners or an agent or servant of the partnership if committed in the course of his or her employment.

53. For each and every call alleged herein initiated to Plaintiff’s telephone line, Plaintiff suffered the injury of invasion of privacy and intrusion on Plaintiff’s right of seclusion.

54. For each and every call alleged herein initiated to Plaintiff’s telephone line, Plaintiff suffered the injury of the occupation of the telephone line by unwelcome calls, making the phone unavailable for legitimate callers or outgoing calls, including emergency calls, when the telephone line was seized by Defendants’ calls.

55. For each and every call alleged herein initiated to Plaintiff’s telephone line, Defendants caused an injury in the form of a nuisance and annoyance to the Plaintiff. For calls that were answered, Plaintiff had to go to the unnecessary trouble of answering them. Even for unanswered calls, Plaintiff had to deal with missed call

notifications and call logs that reflected the unwanted calls. This also impaired the usefulness of these features on Plaintiff's telephone, which features are designed to inform the user of important missed communications.

56. Each and every call placed without consent by Defendants alleged herein to Plaintiff's telephone lines resulted in the injury of a trespass to Plaintiff's chattel, namely Plaintiff's telephone line and its telephone services.

57. For purposes of the TCPA, the FCC has defined "willfully or knowingly" to mean that the violator knew that he was doing the act in question, in this case, initiating a telephone solicitation, irrespective of any intent to violate the law. A violator need not know that his action or inaction constitutes a violation; ignorance of the law is not a defense or mitigating circumstance.

#### **Allegations Specific to this Complaint**

58. Defendants are engaged in soliciting members of the public to be represented by Defendants in filing claims and lawsuits and other matters arising out of and suffered by individuals related to Camp Lejeune or other military toxic exposure.

59. Telemarketing is integral to Defendants' business scheme.

60. Defendants hires third-party call centers to initiate telephone calls *en masse* to consumers using automatic telephone dialing systems and pre-recorded

voice messages to solicit prospective clients for Defendants' mass tort litigation services.

61. These automatic telephone dialing systems can store lists of telephone numbers (and, often, personal information) of consumers and use a random number or sequential number generator which has the capacity to select and initiate calls to persons from the stored lists of telephone numbers with no human involvement and only route the call to a telemarketing agent when a called person has actually answered the call.

62. The automatic telephone dialing system increases the efficiency of the third-party call center because the telephone solicitors at the call center are only transferred calls where a consumer has answered and thus avoid wasted time dialing telephone numbers and waiting to see if a called telephone number is answered.

63. The robotic recorded message telephone platforms will prompt a called party to press '1' if they are interested in learning more about the Camp Lejeune water contamination settlement matter.

64. Upon a called party pressing '1', the called party is then transferred to a live telephone solicitor known in telemarketing parlance as a "lead generator" or "roper".

65 The lead generator or "roper" will engage in deceptive and illegal

techniques to solicit consumers, including, *inter alia*: manipulating the caller identification such that the caller cannot be easily identified or called back; identifying with a false or generic-sounding business name; deliberately calling telephone numbers which appear on the National Do Not Call Registry; refusing to provide identifying information to the called party upon inquiry; uttering profanities to or otherwise threatening or harassing the called party if the consumer does not cooperate by expressing interest or providing requested personal information or the called party requests not to be called.

66. Where a called party fails to meet the pre-qualification criteria, the lead generator will suddenly hang up and move on to the next person called by the automatic telephone dialing system.

67 When a lead generator or “roper” has a consumer who meets the qualification criteria – referred to in telemarketing slang as the “mark” – the lead generator will then live transfer the call to a “verifier.”

68. The verifier then continues the qualification process with the called party, reviewing the pre-qualification criteria, and where the called party meets the qualification criteria, will then attempt to solicit up the called party to retain the services of Defendants to file an administrative claim or take all necessary actions for the purposes of prosecuting a claim against the federal Government under the Camp

Lejeune Justice Act on behalf of the called party.

69. Once a called party expresses interest in retaining the services of Defendants, the “verifier” will then forward to the called party via electronic mail a representation agreement granting Defendants the necessary authority to file a claim and take actions for and on behalf of the called party.

70. In general, lawyers are prohibited from soliciting clients in person, on the phone, and through real-time electronic communication, unless the person they're talking to is: a lawyer; a family member, close friend, or prior business associate; or someone who routinely uses similar legal services for their business. ABA Model R. Prof. Conduct 7.3.

71. Defendants are well aware of the illegal and unethical tactics its called centers are engaged in, but are deliberately indifferent to what is occurring by engaging in willful blindness and representing that they are “unaware” of the illegal and unethical telemarketing conduct, and to be able to claim that if anyone is guilty of any violation it is the anonymous third-party call center.

72. Defendants are well aware that the automatic telephone dialing systems and the telemarketing activities which it directs its agents to utilize are illegal and violate the TCPA.

73. Defendants are well aware of the illegal telemarketing activities, as one or

more of the Partners have been haled into several federal district courts stemming from its violations of the TCPA.

74. Plaintiff has received dozens of telephone calls which commence with a pre-recorded message regarding filing claims related to the Camp Lejeune settlement.

75. In order to better identify the person or persons behind the unsolicited and unwelcome pre-recorded message robocalls, Plaintiff will engage with the telemarketer and attempt to feign interest.

76. On most of the occasions where Plaintiff has engaged the telemarketer and attempted to feign interest, during the pre-qualification process the Plaintiff usually will be suddenly hung up upon without Plaintiff identifying the calling party.

77. Any overt attempt by Plaintiff to ask identifying information of the calling party is usually met with an immediate hang up.

78. On a limited number of occasions, Plaintiff was able to work the call further along and, ultimately, was able to better identify the persons behind the calls.

#### Call Number 1

79. On January 6, 2023, at approximately 3:14 P.M., Defendants or Defendants' agent initiated a call to Plaintiff residential telephone line 734-\*\*\*-\*\*24.

80. The caller identification number displayed was 734-424-4781, and the caller identification name displayed was SPAM RISK.

81. Upon answering the call by saying “hello”, Plaintiff heard a “boink” sound and then a delay or approximately 4 seconds before a pre-recorded voice message was heard saying:

“Hello, this is David. And I am calling you on a recorded line on behalf of Camp Lejeune Water Contamination Settlement for U.S. Marines. So you or any of your family members were in U.S. Marines? [Delay.] Great! This qualifies you for cash settlement. Please hold the line.”

82. Plaintiff was then transferred to a live telemarketer who identified himself as Ron and began to ask pre-qualifying questions.

83. When Plaintiff began asking Ron for better identifying information, Ron stated that he would place Plaintiff’s telephone number on the “do not call” list so there would be no further calls and then suddenly hung up.

84. Immediately after the termination of the call, Plaintiff dialed the caller identification number displayed (734-424-4781) to make a do not call demand which telephone call was answered with a recorded message stating “the person at extension number 3213 is not available.”

Call Number 2

85. On January 11, 2023, at approximately 12:00 P.M., or Defendants or Defendants’ agent, initiated a call to Plaintiff’s residential telephone line 407-\*\*\*-\*\*22.

86. The caller identification number displayed was 407-201-2446, and the caller identification name displayed was UNKNOWN NAME.

87. Upon answering the incoming call by saying “hello”, Plaintiff heard a “boink” sound and then silence for approximately 6 seconds, then a live person came on the line and identified himself as “Derrick from Camp Lejeune Water Contamination Settlement for U.S. Marines.”

88. Derrick asked some pre-qualification questions.

89. Suddenly, the call terminated.

90. Upon the termination of the telephone call, Plaintiff dialed the caller identification number displayed (407-201-2446) to make a do not call demand; the dialed telephone number merely rang and was not answered.

Call Number 3

91. On January 11, 2023, at approximately 12:02 P.M. – just a few minutes after Plaintiff had hung up from Call Number 1, *supra*, Defendant or Defendant’s agent, initiated a call to Plaintiff’s residential telephone line 407-\*\*\*-\*\*22.

92. The caller identification number displayed was 407-201-2496, and the caller identification name displayed was UNKNOWN NAME.

93. Upon answering the incoming call by saying “hello”, Plaintiff noted a silence of approximately 4 seconds and then heard a telemarketer who identified

himself as “Dave Brown from the Camp Lejeune Settlement Group.”

94. Brown asked Plaintiff some pre-qualifying questions and then suddenly hung up.

95. Upon the termination of the telephone call, Plaintiff dialed the caller identification number displayed (407-201-2496) to make a do not call demand; the dialed telephone number merely rang and was not answered.

Call Number 4

96. On February 22, 2023, at approximately 4:12 P.M., Defendant or Defendant’s agent, initiated a call to Plaintiff’s residential telephone line 734-\*\*\*-\*\*12.

97. The caller identification number display was 734-389-7112, and the caller identification name displayed was UNKNOWN NAME.

98. Upon answering the incoming call by saying “hello”, Plaintiff noted a “boink” sound, silence of approximately 6 seconds and then heard a pre-recorded message which began “Morbid here from the Camp Lejeune Justice Act Health Line.”

99. An interactive voice response system then began to ask Plaintiff pre-qualifying questions.

100. Plaintiff was then connected to a live telemarketer who identified himself as Peter Stone, who asked Plaintiff more pre-qualifying questions.

101. The call was then transferred to a live telemarketer who identified himself as Steve Shelton who then attempted to sign Plaintiff up for attorney representation.

102. Shelton sent Plaintiff an email with a contract for Plaintiff to sign for legal representation by Group in the Camp Lejeune litigation.

103. Upon the termination of the telephone call, Plaintiff dialed the caller identification number displayed (734-389-7112) to make a do not call demand; the dialed telephone number was answered by a fax machine.

Call Number 5

104. On February 22, 2023, at approximately 5:03 P.M., Defendants or Defendants' agent initiated a telephone call to Plaintiff's residential telephone line 734-\*\*\*-\*\*12.

105. The caller identification number display was 725-715-2469, and the caller identification name displayed was UNKNOWN NAME.

106. Upon answering the call by saying "hello", Plaintiff heard a "boink" sound, approximately 4 seconds of silence, and then a pre-recorded message that stated "Hi, my name is June and I am calling you on behalf of Camp Lejeune Water Containment Settlement for U.S. Marines." The recorded prompted to press '1' if Plaintiff or a "loved one" had served at Camp Lejeune prior to 1987.

107. In order to better identify the caller, Plaintiff pressed '1'.

108. The call was then transferred to a live telemarketer who identified himself as Peter Stone.

109. As Stone was asking a pre-qualifying question, the call suddenly terminated.

110. Upon the termination of the telephone call, Plaintiff dialed the caller identification number displayed (725-715-2469) to make a do not call demand; the dialed telephone number was answered by a recorded message asking Plaintiff to dial ‘1’ if Plaintiff had a blue, white and red Medicare card.

#### Call Number 6

111. On February 28, 2023, at approximately 12:00 P.M., Defendants or Defendants’ agent initiated a call to Plaintiff residential telephone line 734-\*\*\*-\*\*24.

112. The caller identification number displayed was 734-424-9620, and the caller identification name displayed was WESELY KATHY.

113. Upon answering the call by saying “hello”, Plaintiff heard a “boink” sound and then a delay or approximately 5 seconds before a pre-recorded voice message was heard saying:

“Hello, this is David. And I am calling you on a recorded line on behalf of Camp Lejeune Water Contamination Settlement for U.S. Marines. So you or any of your family members were in U.S. Marines? [Delay.]”

114. Plaintiff was then transferred to a live telemarketer who identified himself

as Mark and began to ask pre-qualifying questions.

115. During the pre-qualification process, Mark asked if Plaintiff had an alternate telephone number, to which Plaintiff responded “no.” Mark then stated that he would call back in a few minutes and hung up. Mark did not call back.

116. Immediately after the termination of the call, Plaintiff dialed the caller identification number displayed (734-424-9620) to make a do not call demand; the dialed telephone number rang and answered by a personal (family) voice mail system.

**COUNT I  
VIOLATION OF THE TCPA - ROBOCALL**

117. Plaintiff incorporates the allegations of paragraphs 1 through 116, *supra*.

118. Each of Call Numbers 1, 4, 5, and 6 were in violation of the TCPA implementing regulations, specifically 47 C.F.R. 64.1200(a)(3), as Defendants or Defendants’ agent initiated a telephone call to a residential line using an artificial or prerecorded voice to deliver a message without the prior express written consent of the called party and there being no emergency.

119. The aforesaid violations of the TCPA were wilful and/or knowing as is evidenced by the repeated number of calls.

**COUNT II  
VIOLATION OF THE TCPA - ABANDONED CALL**

120. Plaintiff incorporates the allegations of paragraphs 1 through 116, *supra*.

121. Each of Call Numbers 1 through 6 were in violation of the TCPA implementing regulations, specifically 47 C.F.R. § 64.1200(a)(7), as Defendants or Defendants' failed to connect the call to a live sales representative within two (2) seconds of the called person's completed greeting.

122. The aforesaid violations of the TCPA were wilful and/or knowing as is evidenced by the repeated number of calls.

**COUNT III  
VIOLATION OF THE TCPA - DO NOT CALL**

123. Plaintiff incorporates the allegations of paragraphs 1 through 116, *supra*.

124. Each of Call Numbers 1 through 6, inclusive, were in violation of the TCPA implementing regulations, specifically 47 C.F.R. § 64.1200(c)(2), as Defendant or Defendant's agent initiated a telephone solicitation to a residential telephone subscriber who has registered his telephone number on the national do-not-call registry of persons who do not wish to receive telephone solicitations that is maintained by the Federal Government.

125. The aforesaid violations of the TCPA were wilful and/or knowing as is evidenced by the repeated number of calls.

**COUNT IV  
VIOLATION OF THE TCPA - FALSIFIED CALLER ID**

126. Plaintiff incorporates the allegations of paragraphs 1 through 116, *supra*.

127. Each of Call Numbers 1 through 6 inclusive, were in violation of the TCPA implementing regulations, specifically 47 C.F.R. § 64.1601(e)(1), as Defendant and/or Defendant's agents failed to provide caller identification information displaying a telephone number which would permit any individual to make a do-not-call request during regular business hours.

128. The Defendant had to take deliberate and overt action to manipulate the telephone network equipment to provide false caller identification information, therefore the aforesaid violations of the TCPA was wilful and/or knowing.

**COUNT V  
VIOLATION OF THE TCPA - NO POLICY**

129. Plaintiff incorporates the allegations of paragraphs 1 through 116, *supra*.

130. Each of Call Numbers 1 through 6 inclusive, were in violation of the TCPA implementing regulations, specifically 47 C.F.R. § 64.1200(d)(1), as Defendant and/or Defendant's agents failed to have a written policy, available upon demand, for maintaining a do-not-call list.

131. The aforesaid violations of the TCPA were wilful and/or knowing as is evidenced by the repeated number of calls.

**COUNT VI  
VIOLATION OF THE TCPA - FAILURE TO TRAIN**

132. Plaintiff incorporates the allegations of paragraphs 1 through 116, *supra*.

133. Each of Call Numbers 1 through 6 inclusive, were in violation of the TCPA implementing regulations, specifically 47 C.F.R. § 64.1200(d)(2), as Defendant and/or Defendant's agents failed to train their personnel engaged in telemarketing in the existence and use of the do-not-call list.

134. The aforesaid violations of the TCPA were wilful and/or knowing as is evidenced by the repeated number of calls.

**COUNT VII  
VIOLATION OF THE TCPA - FAILURE TO IDENTIFY**

135. Plaintiff incorporates the allegations of paragraphs 1 through 116, *supra*.

136. Each of Call Numbers 1 through 6 inclusive, were in violation of the TCPA implementing regulations, specifically 47 C.F.R. § 64.1200(d)(4), as Defendant and/or Defendant's agents failed to provide the called party with the name of the individual caller, the name of the person or entity on whose behalf the call is being made, and/or a telephone number or address at which the entity may be contacted.

137. The aforesaid violations of the TCPA were wilful and/or knowing as is evidenced by the repeated number of calls.

**COUNT VIII  
VIOLATION OF THE MTCCCA**

138. Plaintiff incorporates the allegations of paragraphs 1 through 116, *supra*.

139. Call Numbers 1, and 4 through 6, inclusive, were each in violation of the of the MTCCCA, specifically M.C.L. § 484.125(2)(a), as Defendants or Defendants' agent used a telephone line to contact a subscriber at the subscriber's residence, business, or toll-free telephone number to deliver a recorded message for the purpose of presenting commercial advertising to the subscriber without the subscriber requested or consenting to same; and/or M.C.L. § 484.125(2)(b), as Defendant or Defendant's agent delivered or attempted to deliver intrastate commercial advertising having activated a feature to block the display of caller identification information that would otherwise be available to the subscriber.

**COUNT IX**  
**VIOLATION OF THE MHSSA**

140. Plaintiff incorporates the allegations of paragraphs 1 through 116, *supra*.

141. Call Numbers 1, and 4 through 6, inclusive, were each in violation of the MHSSA, specifically M.C.L. § 445.111a(5), as Defendant or Defendant's agent made a telephone solicitation to a residential telephone subscriber whose name and residential telephone number is on the federal do-not-call list; and/or M.C.L. 445.111b(1), as the person making the telephone solicitation did not state his or her name and the full name of the organization or other person on whose behalf the call was initiated; and/or M.C.L. 445.111b(3), as the telephone solicitor intentionally blocked or otherwise interfered with the caller identification function on the

telephone of a residential telephone subscriber to whom a telephone solicitation is made so that the telephone number of the caller is not displayed on the telephone of the residential telephone subscriber.

**COUNT X  
VIOLATION OF THE FTSL**

142. Plaintiff incorporates the allegations of paragraphs 1 through 116, *supra*.

143. Each of Call Numbers 2 and 3 were in violation of the FTSL; specifically Fla. Stat. § 501.059(2), as Defendant or Defendant's agent made an unsolicited telephonic sales call to a residential telephone number and did not identify himself by his or her true first and last names and the business immediately upon making contact by telephone with the person who is the object of the telephone solicitation; and/or Fla. Stat. § 501.059(b), Defendant or Defendant's agent caused a telephonic sales call to be made to fail to transmit the originating telephone number and the name of the telephone solicitor to any caller identification service in use by a recipient of a telephonic sales call.

144. The aforesaid violations of the FTSL were wilful and/or knowing as is evidenced by the repeated number of calls.

**PRAYER FOR RELIEF**

WHEREFORE, the aforesaid premises considered, Plaintiff prays that this Court enter a judgment for Plaintiff and against the Defendant, as follows:

A. Damages:

i. Damages for violations of the TCPA alleged:

<u>Count</u>	<u>Violations</u>
I	6
II	6
III	6
IV	6
V	6
VI	6

A total of 36 violations at \$500 per violation for damages of \$18,000.00, which amount shall be trebled because the violations were willful and/or knowing, for total damages of \$54,000.00.

ii. Damages for violations of the MTCCCA

alleged at Count VIII: 4 violations at \$1,000

per violation, for damages of \$4,000.00.

iii. Damages for violations of the MHSSA

alleged at Count IX: 4 violations at \$250 per

violation, for damages of \$1,000.00.

iv. Damages for violation of the FTSL alleged at

Count X: 4 calls at \$500 per call, for damages

of \$2,000.00, which amount shall be trebled

because the violations were willful and/or

knowing, for total damages of \$6,000.00.

The cumulative total amount of damages claimed in this action is \$65,000.00, and in the event of default judgment is the sum certain damages amount that will be sought.

- B. An award of Plaintiff's taxable costs and disbursements incurred in the filing and prosecution of this action;
- C. An injunction enjoining Defendant from initiating any telephone calls to Plaintiff's residential telephone and cellular telephone lines.
- D. Interest accruing from the date of filing until paid at the statutory rate; and,
- E. Such other and further relief as this Court deems necessary, reasonable, prudent and proper under the circumstances.

Respectfully submitted,



Dated: March 6, 2023

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Mark W. Dobronski  
Post Office Box 85547  
Westland, Michigan 48185-0547  
Telephone: (734) 330-9671  
Email: markdobronski@yahoo.com  
Plaintiff *In Propria Persona*

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

MARK W. DOBRONSKI

(b) County of Residence of First Listed Plaintiff ORANGE, FL  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

**DEFENDANTS**KRAUSE AND KINSMAN LAW LLC; ADAM WILLIAM KRAUSE;  
ROBERT LOUIS KINSMAN; PATRICIA LYNN CAMPBELL;  
JOANNA BERNADETTE ORSCHELNCounty of Residence of First Listed Defendant JACKSON, MO

Case: 2:23-cv-10541

Judge: Friedman, Bernard A.

MJ: Stafford, Elizabeth A.

Filed: 03-08-2023 At 08:20 AM

CMP Dobronski v. Krause and Kinsman  
Law LLC, et al (jo)**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- |  |  |
|--|--|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)   |

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | Citizen of This State                   | PTF                        | DEF   | PTF   | DEF                        |                            |
|---|----------------------------|---|---|----------------------------|----------------------------|
| <input type="checkbox"/> 1              | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4                                    | <input type="checkbox"/> 4 |                            |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2                                | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3                                | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<b>PERSONAL INJURY</b>	<b>PERSONAL INJURY</b>	<b>PROPERTY RIGHTS</b>	<b>375 False Claims Act</b>
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<b>LABOR</b>	<b>410 Antitrust</b>
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<b>PERSONAL PROPERTY</b>	<input type="checkbox"/> 710 Fair Labor Standards Act	<b>430 Banks and Banking</b>
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine Product Liability	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 720 Labor/Management Relations	<b>450 Commerce</b>
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 740 Railway Labor Act	<b>460 Deportation</b>
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 751 Family and Medical Leave Act	<b>470 Racketeer Influenced and Corrupt Organizations</b>
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 790 Other Labor Litigation	<b>480 Consumer Credit (15 USC 1681 or 1692)</b>
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury		<input type="checkbox"/> 791 Employee Retirement Income Security Act	<b>485 Telephone Consumer Protection Act</b>
<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice		<b>SOCIAL SECURITY</b>	<b>490 Cable/Sat TV</b>
<input type="checkbox"/> 196 Franchise			<input type="checkbox"/> 861 HIA (1395ff)	<b>850 Securities/Commodities/ Exchange</b>
<b>REAL PROPERTY</b>	<b>CIVIL RIGHTS</b>	<b>PRISONER PETITIONS</b>	<input type="checkbox"/> 862 Black Lung (923)	<b>890 Other Statutory Actions</b>
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 440 Other Civil Rights	Habeas Corpus:	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<b>891 Agricultural Acts</b>
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 864 SSID Title XVI	<b>893 Environmental Matters</b>
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 865 RSI (405(g))	<b>895 Freedom of Information Act</b>
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 530 General	<b>GENERAL TAX SUITS</b>	<b>896 Arbitration</b>
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<b>899 Administrative Procedure Act/Review or Appeal of Agency Decision</b>
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	Other:	<input type="checkbox"/> 871 IRS—Third Party	<b>950 Constitutionality of State Statutes</b>
	<input type="checkbox"/> 448 Education	<input type="checkbox"/> 540 Mandamus & Other	26 USC 7609	
		<input type="checkbox"/> 550 Civil Rights		
		<input type="checkbox"/> 555 Prison Condition		
		<input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement		

**V. ORIGIN** (Place an "X" in One Box Only)

- |  |   |  |   |  |  |   |
|--|---|--|---|--|--|---|
| <input type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from Another District (specify) | <input type="checkbox"/> 6 Multidistrict Litigation - Transfer | <input type="checkbox"/> 8 Multidistrict Litigation - Direct File |
|--|---|--|---|--|--|---|

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
47 U.S.C. 227**VI. CAUSE OF ACTION**Brief description of cause:  
Illegal telemarketing calls**VII. REQUESTED IN COMPLAINT:** CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$ 65,000.00

CHECK YES only if demanded in complaint:  
JURY DEMAND:  Yes  No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE \_\_\_\_\_

DOCKET NUMBER \_\_\_\_\_

DATE

March 6, 2023

SIGNATURE OF ATTORNEY OF RECORD

*mark w. dobronski***FOR OFFICE USE ONLY**

RECEIPT #

AMOUNT \_\_\_\_\_

APPLYING IFFP \_\_\_\_\_

JUDGE \_\_\_\_\_

MAG. JUDGE \_\_\_\_\_

PURSUANT TO LOCAL RULE 83.11

1. Is this a case that has been previously dismissed?

Yes  
 No

If yes, give the following information:

Court: \_\_\_\_\_

Case No.: \_\_\_\_\_

Judge: \_\_\_\_\_

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

Yes  
 No

If yes, give the following information:

Court: \_\_\_\_\_

Case No.: \_\_\_\_\_

Judge: \_\_\_\_\_

Notes :

\_\_\_\_\_

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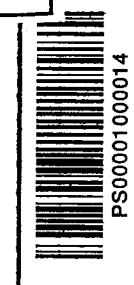
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